



Media Release

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‘We cannot fine our way out of the pandemic’: Legal profession calls on NSW Premier to revoke unlawful COVID-19 fines

Over 100 prominent members of the legal, academic and political profession have endorsed an open letter sent to the NSW Premier, calling on the NSW Government to revoke wrongly issued COVID-19 fines.

The letter is a response to concerns among the legal fraternity that COVID-19 fines have been incorrectly issued by police to people undertaking lawful recreation such as sitting in a park, eating outdoors, or sitting alone in their car.

Written by Aboriginal Legal Service ACT/NSW (ALS), Redfern Legal Centre, Community Legal Centres NSW and Public Interest Advocacy Service, the letter calls for greater investment in community education and engagement strategies, and enhanced social and economic measures to support communities already in crisis, and states: ‘we cannot fine our way out of the pandemic’.

Redfern Legal Centre, who instigated the open letter, has assisted with multiple cases where people have been incorrectly issued a \$1000 or \$3000 fine for an offence under the *Public Health Act 2010* for failure to comply with a direction.

Joanna Shulman, CEO of Redfern Legal Centre, said: “It is clearly unjust to leave it up to individuals to appeal these wrongly issued COVID-19 fines. If a government body has made a mistake and not issued fines according to law, then it should rectify that mistake. People are already suffering from the economic impact of COVID-19 - and risk being plunged further into debt because of an error in administering the law.”

Nadine Miles, acting chief executive officer of the Aboriginal Legal Service NSW/ACT, said: “The ALS is assisting people who’ve been fined, or threatened with fines, for things like helping a mentally ill family member get groceries and driving a family member to work in a remote town without public transport.

“Most people want to do the right thing and protect themselves and their communities, but there’s no fine high enough to stop people from seeking out their essential needs if they’re not being provided for. It’s on the NSW Government to provide Aboriginal communities with practical support and clear information on the ever-changing COVID rules.”

Tim Leach, Executive Director, Community Legal Centres NSW, said: “Police targeting people with high fines is not the road out of this pandemic. A public health response grounded in care and wellbeing – not fear and coercion – will strengthen our capacity to respond together. Our communities need to be supported to stay safe, which must include income support and secure housing for all.”

Jonathon Hunyor, CEO of the Public Interest Advocacy Centre, said: “Punitive approaches to public health orders risk further alienating people – especially those already disadvantaged or marginalised - at a time we need to be working together.”

“Government should focus its efforts on working with the community. Rolling out police and doling out fines won’t build the trust we need for a sustained commitment to public health orders”, said Mr Hunyor.

According to Revenue NSW, 10,232 fines totalling \$9,402,500 had been issued for breaches of COVID-19 rules between March 2020 and July this year. Police issued \$7,839,500 of these with a total of \$8,922,500 in fines issued to individuals. In July this year, 6,815 fines were issued – more than 3 times the total amount issued last financial year.

Download the open letter at www.rlc.org.au

RLC CEO, Joanna Shulman and RLC Police Accountability Solicitor, Samantha Lee are available for interview. Contact Finn O’Keefe, RLC Communications Manager: 0424 548 019 | finn@rlc.org.au

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